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3
4 BILL NO. G-83-03-13 (as amended)

5 GENERAL ORDINANCE NO. G- 09-83

6 AN ORDINANCE amending The Code of
7 the City of Fort Wayne, Indiana of
8 1974, to coincide with Appropriation
9 Ordinance No. A-83-02-22 (as amended)
(as amended)

10 WHEREAS, this Council is considering Bill No. A-83-02-22,
11 (as amended) (as amended) entitled:

12 AN ORDINANCE appropriating funds from the
13 Cable TV Fund to certain accounts within
14 the 1983 budget of the Cable TV Fund 1983 and provid
15 ing for a Common Council appointee to the Governing Board of
16 WHEREAS, said Appropriation Ordinance contemplated the START
17 (Hi Tech
18 transfer of Three Hundred Thousand and No/100 Dollars
19 (\$300,000.00) from the Cable TV Fund, Account Number 166,
20 to the following account within the 1983 budget of the Cable
21 TV Fund, to wit:

22 Contractual Services, Account #4399;

23 WHEREAS, Section 7.5-8(b), of The Code of the City of Fort
24 Wayne, Indiana of 1974, provides that all funds received under
25 the "Cable Communications System" Ordinance (Sections 7.5-1
26 through 12 of The Code of the City of Fort Wayne, Indiana of
27 1974) "be deposited into a revolving fund to be used for
28 Cable System related expenses";

29 WHEREAS, This Ordinance is necessary to amend Section
30 7.5-8(b) of the Code of the City of Fort Wayne,
31 Indiana, 1974 to allow for the appropriation as contained in Bill
32 No. A-83-02-22. (as amended) (as amended).

33 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
34 THE CITY OF FORT WAYNE, INDIANA:

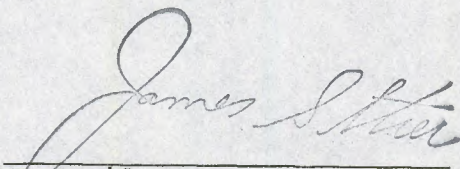
35 SECTION 1. That Section 7.5-8(b) of The Code of the City
of Fort Wayne, Indiana of 1974, is hereby amended to allow
for the appropriation and transfer of funds as suggested in
Bill No. A-83-02-22, (as amended) (as amended) entitled:

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5 AN ORDINANCE appropriating funds from the
6 Cable TV Fund to certain accounts within
7 the 1983 budget of the Cable TV Fund 1983
8 and providing for a Common Council appointee to
9 the Governing Board of START (Hi Tech)

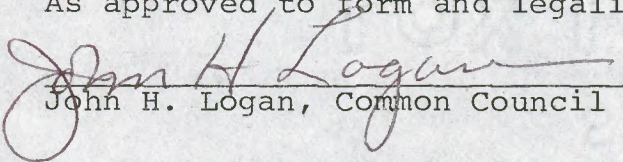
10 SECTION 2. That the amendment herein made is made only
11 for the purpose of allowing the appropriation and transfer
12 of funds as requested in Bill No. A-83-02-22 (as amended) (as amended)
13 and such amendment
14 is made for no other purposes. The amendment herein made
15 shall in no way be construed as a general amendment allowing
16 for utilization of funds received under the Cable Communications
17 System Ordinance except for purposes as specifically spelled
18 out therein and except for the appropriation and transfer
19 of funds as referenced in Bill No. A-83-02-22 (as amended) (as
20 amended).

21 SECTION 3. "Section 7.5-8(b) of The Code of the City of
22 Fort Wayne, Indiana of 1974, is hereby amended by adding
23 thereto the following sentence": "In addition to the immediate
24 preceding allowable expenditure there is hereby authorized
25 the expenditure as provided for in Appropriation Ordinance
26 (as amended) (as amended)
27 No. A-83-02-22, as passed by the Common Council of the City
28 of Fort Wayne, Indiana."

29 SECTION 4. That this Ordinance shall be in full force
30 and effect from and after its passage and any and all necessary
31 approval by the Mayor.

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Councilman

As approved to form and legality


John H. Logan, Common Council Attorney

1 BILL NO. G-83-03-13

2 GENERAL ORDINANCE NO. G-_____

3 AN ORDINANCE amending the Municipal
4 Code of the City of Fort Wayne,
5 Indiana, to coincide with Appropria-
6 tion Ordinance No. A-83-02-22.

7 WHEREAS, this Council is considering Bill No. A-83-02-22,
8 entitled:

9 AN ORDINANCE appropriating funds from the
10 Cable TV Fund to certain accounts within
11 the 1983 budget of the Cable TV Fund 1983;

12 WHEREAS, said Appropriation Ordinance contemplated the
13 transfer of Three Hundred Thousand and No/100 Dollars (\$300,000.00)
14 from the Cable TV Fund, Account Number 166, to the following account
15 within the 1983 budget of the Cable TV Fund, to wit:

16 Contractual Services, Account #4399;

17 WHEREAS, Section 7.5-8(b), of ~~the~~ ^{Code of the City of Fort Wayne,} the Municipal Code of the
18 ~~City of Fort Wayne,~~ ^{Indiana 1974} provides that all funds received under the
19 "Cable Communications System" Ordinance (Sections 7.5-1 through 12
20 of the Municipal Code of the City of Fort Wayne, Indiana) "be de-
21 posited into a revolving fund to be used for Cable System related
22 expenses";

23 WHEREAS, this Ordinance is necessary to amend Section
24 7.5-8(b) of the Municipal Code of the City of Fort Wayne, Indiana,
25 to allow for the appropriation as contained in Bill No. A-83-02-22.

26 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
27 THE CITY OF FORT WAYNE, INDIANA:

28 SECTION 1. That Section 7.5-8(b) of the Municipal Code
29 of the City of Fort Wayne, Indiana, is hereby amended to allow
30 for the appropriation and transfer of funds as suggested in Bill
31 No. A-83-02-22, entitled:

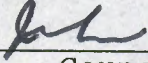
32 AN ORDINANCE appropriating funds from the
Cable TV Fund to certain accounts within
the 1983 budget of the Cable TV Fund 1983.

SECTION 2. That the amendment herein made is made only
for the purpose of allowing the appropriation and transfer of funds

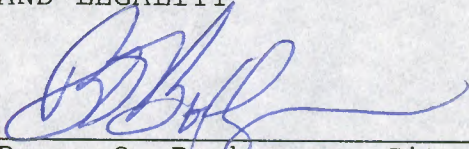
1 Page Two

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3 as requested in Bill No. A-83-02-22 and such amendment is made
4 for no other purposes. The amendment herein made shall in no
5 way be construed as a general amendment allowing for utilization
6 of funds received under the Cable Communications System Ordinance
7 except for purposes as specifically spelled out therein and ex-
8 cept for the appropriation and transfer of funds as referenced in
9 Bill No. A-83-02-22.

10 SECTION 3. That this Ordinance shall be in full force
11 and effect from and after its passage and any and all necessary
12 approval by the Mayor.

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14 
15 _____
16 Councilmember

17 APPROVED AS TO FORM
18 AND LEGALITY

19 
20 _____
21 Bruce O. Boxberger, City Attorney
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Read the first time in full and on motion by Stier,
seconded by GiaQuinta, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 3-8-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by GiaQuinta,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 3-22-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 9-09-83
on the 22nd day of March, 1983.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Ray A. E. Bork
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 23rd day of March, 1983, at the hour of
4:00 o'clock P.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 23rd day of March
1983, at the hour of 4 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. G-83-03-13

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the Municipal Code of the City of Fort Wayne,
Indiana, to coincide with Appropriation Ordinance No.
A-83-02-22

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

3-22-83 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

CREATING MINIMUM HOUSING ORDINANCE

BILL NO. G-83-03-12

GENERAL ORDINANCE NO. G-06-83

AN ORDINANCE accepting Minimum
Housing responsibilities within
the City of Fort Wayne, Indiana

WHEREAS, the City and the County have, in the past, jointly participated in the City-County Building and Minimum Housing Department of Allen County, Indiana, pursuant to I.C. 17-2-72-3;

WHEREAS, pursuant to said statute, the City-County Building and Minimum Housing Department has administered and enforced the Minimum Housing Code and the Unsafe Building Ordinance of the City;

WHEREAS, I.C. 36-1-3.5-6 transfers jurisdiction of the City-County Building and Minimum Housing Department to the Board of Commissioners of the County;

WHEREAS, the Board of Commissioners of the County has expressed its desire to decline to exercise jurisdiction of Minimum Housing Administration and enforcement, including the enforcement of the Minimum Housing Code and the Unsafe Building Ordinance of the City;

WHEREAS, unless the City exercises Minimum Housing responsibilities, there will be no Minimum Housing administration and enforcement nor would there be any enforcement of the City's Minimum Housing Code and Unsafe Building Ordinance;

WHEREAS, it is in the interest of the citizens of this community to ensure the continued and uninterrupted enforcement of the City's Minimum Housing Code and Unsafe Building Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Approval is hereby given to the City of Fort Wayne, Indiana, to assume jurisdiction and responsibility of Minimum Housing enforcement and administration, including the enforcement of the City's Minimum Housing Code and Unsafe Building Ordinance.

SECTION 2. That the annexed proposed Agreement, made a part hereof, between the City and Allen County, allowing for the shifting of Minimum Housing responsibilities from the County to the

City, is hereby approved, affirmed and ratified in all respects. The Mayor is hereby empowered to execute said Agreement on behalf of the city and two (2) copies of such Agreement are on file in the City Clerk's Office and available for public inspection.

SECTION 3. This Ordinance is adopted pursuant to I.C. 36-1-3 et seq. allowing the City necessary powers to govern itself and provide services for its citizens.

SECTION 4. Authority is hereby given pursuant to I.C. 36-4-9-4 to establish a Minimum Housing Department within the City, as determined appropriate by the Mayor. Furthermore, authority is hereby given to transfer Minimum Housing responsibilities to the Housing Authority of the City of Fort Wayne, Indiana, if deemed appropriate by the Mayor.

SECTION 5. The City contemplates utilizing specific rules, regulations, and procedures with respect to Minimum Housing administration and enforcement and in that regard the Administration will, at a later date, present to this Council an Ordinance outlying in such rules, regulations, and procedures governing Minimum Housing administration and enforcement.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

James S. Stier
Council Member

Memorandum

To FRANK HEYMAN, CITY CONTROLLER

Date March 22, 1983

From BRUCE O. BOXBERGER, CITY ATTORNEY

Subject G-83-03-13

COPIES TO:

Dear Mr. Heyman:


It is my understanding that several Council members have requested specific amendatory language with respect to the above. This is in regards to the ordinance that I drafted allowing for the utilization of 1983 Cable TV Funds.

Evidently several Council members requested specific language in addition to the ordinance that I had prepared. Please explain that I did not want to confuse the issue by adding additional language to the "Cable Communication System" ordinance. That is, if we use specific amendatory language it will eventually become "codified" and therefore become part of Section 7.5-1 et seq. of our City Code.

However, if specific amendatory language is still desired I suggest that a new Section 3 be added to Bill No. G-83-03-13 and same will read as follows: "Section 3. Section 7.5-8 (b) of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by adding thereto the following sentence": "In addition to the immediate preceding allowable expenditure there is hereby authorized the expenditure as provided for in Appropriation Ordinance A-83-02-22, as passed by the Common Council of the City of Fort Wayne, Indiana."

If you need any further information, please contact me.

BOB:dkg



The Cable Law (G-83-03-13) with amendments, Ordinance 1974

Admn. Appr. _____

DIGEST SHEET

83
83-120 amended

TITLE OF ORDINANCE General Ordinance

DEPARTMENT REQUESTING ORDINANCE Law Department

SYNOPSIS OF ORDINANCE An Ordinance amending the Municipal Code of the
City of Fort Wayne, Indiana, to coincide with Appropriation Ordinance
No. A-83-02-22.

EFFECT OF PASSAGE Necessary to amend Section 7.5-8(b) of the
Municipal Code.

EFFECT OF NON-PASSAGE No appropriation or transfer of funds.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____